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PATENT
APPEAL BRIEF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sascha Baumeister et al. : Date: December 17, 2007
Serial No.: 10/624,353 : Art Unit: 2144
Filed: July 22, 2003 : Examiner: Scott B. Christensen
Title: METHOD AND DEVICE FOR
STREAMING A MEDIA FILE OVER A
DISTRIBUTED INFORMATION SYSTEM

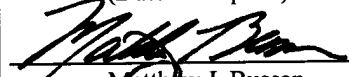
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Matthew J. Bussan

APPEAL BRIEF IN SUPPORT OF APPEAL
FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS

Applicant herewith submits an Appeal Brief in support of the appeal to the Board
of Patent Appeals and Interferences from the decision dated August 3, 2007 of the
primary examiner finally rejecting claims 1-7 and 11-18.

The appeal brief fee of \$510.00 is to be charged to Deposit Account No. 09-0465.

A duplicate copy of this sheet is enclosed.

Docket No.: DE920020019US1
Serial No.: 10/624,353

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The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 09-0465. A duplicate copy of this sheet is enclosed.

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PATENT
APPEAL BRIEF

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sascha Baumeister et al. : Date: December 17, 2007
Serial No.: 10/624,353 : Art Unit: 2144
Confirmation No.: 7584 : Examiner: Scott B. Christensen
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Matthew J. Bussan

APPEAL BRIEF IN SUPPORT OF APPEAL
FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS

This Appeal Brief is filed pursuant to the Notice of Appeal previously filed
(mailed on November 27, 2007). Appeal is made to the Board of Patent Appeals and
Interferences from the decision dated August 3, 2007 of the primary examiner finally
rejecting claims 1-7 and 11-18.

Docket No.: DE920020019US1
Serial No.: 10/624,353

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(i) Real party in interest

The real party in interest is the assignee International Business Machines Corporation.

(ii) Related appeals and interferences

There are no known appeals, judicial proceedings or interferences that may be related to, directly affect or be directly affected by or have a bearing on the Board's decision in the instant appeal.

(iii) Status of claims

Claims 1-7 and 11-18 are rejected. Claims 8-10 are canceled.

Appeal is made to the Board of Patent Appeals and Interferences from the decision dated August 3, 2007 of the primary examiner finally rejecting claims 1-7 and 11-18. The claims on appeal, i.e., claims 1-7 and 11-18, are set forth in the "Claims appendix".

Claims 8-10 were canceled in the Amendment filed on September 24, 2007. The Advisory Action dated October 15, 2007 echoed the canceled status of these claims. Consequently, claims 8-10 are not on appeal.

(iv) Status of Amendments

The only amendment filed subsequent to the final rejection was acted on by the examiner. The Amendment after Final, which was filed on September 24, 2007, was entered as indicated in the Advisory Action dated October 15, 2007. As noted in the Advisory Action, the Amendment after Final cancelled claims 8-10.

(v) Summary of claimed subject matter

The present application contains three independent claims (i.e., claims 1, 11 and 18). As defined in independent claims 1 and 18, the present invention is directed to a method for streaming a media file over a distributed information system to a client computer system running a browser application. As defined in independent claim 11, the present invention is directed to a computer-readable program stored on a computer-readable medium.

Because independent claims 1 and 11 set forth identical steps – claim 1 in the context of a method and claim 11 in the context of a computer-readable program – these claims are summarized together below. Independent claim 18, which sets forth limitations not found in the other independent claims, is summarized separately below.

The present invention as defined in independent claims 1 and 11 requires a step of receiving a request for a particular media file from a client computer. See, for example, the discussion at page 11, lines 14-25 of the specification with respect to a HTTP request URL (**arrow 152**) received by a metadata server 104 from a web client 102. The HTTP request URL points to a media file itself. The receiving step, as further defined claims 1 and 11, comprises the steps of intercepting a download request for the actual media file and reinterpreting the download request into a request for receiving a corresponding metafile. See, for example, the discussion at page 12, lines 1-5 of the specification with respect to intercepting/reinterpreting the HTTP request.

The present invention as also defined in independent claims 1 and 11 requires a step of providing a metafile that contains information about the identification, location and format of the media file. See, for example, the discussion at page 12, line 1 - page

13, line 3 of the specification with respect to a HTTP protocol handler 132 (component of the metadata server 104), working in conjunction with a metadata generator 136 or a metadata query component 138, to build a HTTP response that contains streaming metadata. See also, for example, the discussion at page 13, lines 12-14 of the specification with respect to information contained in the streaming metadata, such as which file to stream (identification), which streaming server to contact (location), which streaming protocol to use (format).

The present invention as further defined in independent claims 1 and 11 requires a step of returning the metafile back to the client computer. See, for example, the discussion at page 13, lines 4-6 of the specification with respect to transferring the HTTP response that contains the streaming metadata from a network interface 134 on the metadata server 104 to a network interface 124 on the web client 102 (**arrow 162**).

Another aspect of the present invention, as defined in each of dependent claims 5 and 15 (which respectively depend directly from independent claims 1 and 11), is that the step of reinterpreting the download request includes the step of checking predefined filter criteria determining of whether or not a metafile is to be returned instead of the requested media file. See, for example, the discussion at page 7, lines 8-14 and lines 24-28; page 8, lines 3-6; and page 12, lines 1-13 of the specification with respect to redirecting all HTTP requests matching a filter criteria to the metadata generator 136 or metadata query component 138. As an illustrative example, this discussion refers to building the filter criteria from a list of media format file extensions.

Yet another aspect of the present invention, as defined independent claim 18, is streaming a media file over a distributed information system to a client computer by

sequentially interacting (e.g., arrows 152, 162, 170 and 176, as summarized below) with two different servers -- the first being a metadata server and the second being a streaming server. See, for example, the discussion of the web client 102, the metadata server 104 and the delivery server 106 at pages 10-14 of the specification. It is important to note that the specification explicitly defines a “server” as a computer that provides some service for other computers connected to it via a network. See, specification, page 2, lines 16-19. See also, specification, page 10, lines 14-15 and page 11, lines 1-2.

Hence, the present invention, as defined in independent claim 18, requires the use of two distinct servers (computer systems), i.e., the metadata server and the streamer server. This arrangement is advantageous in several respects. For example, one metadata server may cooperate with multiple delivery servers in order to perform load balancing. See, for example, the discussion of load balancing at page 6, lines 18-22 and page 11, lines 4-7 of the specification.

The present invention as defined in independent claim 18 requires a step of receiving, at a metadata server, a request for a particular media file from a client computer. See, for example, the discussion at page 11, lines 14-25 of the specification with respect to a HTTP request URL (**arrow 152**) received by a metadata server 104 from a web client 102. The HTTP request URL points to a media file itself. The receiving step, as further defined in claim 18, comprises the steps of intercepting a download request for the actual media file and reinterpreting the download request as a request for receiving a corresponding metafile. See, for example, the discussion at page 12, lines 1-5 of the specification with respect to intercepting/reinterpreting the HTTP request.

The present invention as also defined in independent claim 18 requires a step of providing, at the metadata server, a metafile and a MIME-type, wherein the metafile contains information about the identification, location and format of the media file. See, for example, the discussion at page 12, line 1 - page 13, line 3 of the specification with respect to a HTTP protocol handler 132 (component of the metadata server 104), working in conjunction with a metadata generator 136 or a metadata query component 138, to build a HTTP response that contains streaming metadata and a MIME-type suitable for the streaming metadata. See also, for example, the discussion at page 13, lines 12-14 of the specification with respect to information contained in the streaming metadata, such as which file to stream (identification), which streaming server to contact (location), which streaming protocol to use (format). ✓

The present invention as further defined in independent claim 18 requires a step of returning the metafile and the MIME-type back from the metadata server to the client computer. See, for example, the discussion at page 13, lines 4-6 of the specification with respect to transferring the HTTP response that contains the streaming metadata and the MIME-type from a network interface 134 on the metadata server 104 to a network interface 124 on the web client 102 (arrow 162).

The present invention as also defined in independent claim 18 requires a step of starting a media player on the client computer based on the MIME-type, wherein the media player is started by a browser application running on the client computer. In addition, the present invention as further defined in independent claim 18 requires a step of forwarding the metafile from the browser application to the media player. See, for example, the specification at page 13, lines 8-11.

The present invention as still further defined in independent claim 18 requires a step of extracting information from the metafile, wherein the extracted information is extracted from the metafile by the media player and includes information identifying a streaming server to contact and a streaming protocol to use. In addition, the present invention as defined in independent claim 18 requires a step of composing a streaming protocol request based on the extracted information. See, for example, the specification at page 13, lines 12-17.

Still further, the present invention as defined in independent claim 18 requires the step of forwarding the streaming protocol request from the client computer to the streaming server identified in the extracted information. See, for example, the discussion at page 13, lines 18-19 of the specification with respect to sending the streaming protocol request from the network interface 124 on the web client 102 to a network interface 146 on a deliver server 106 (**arrow 170**).

Finally, the present invention as defined in independent claim 18 requires the step of sending a streaming protocol reply and data packets from the streaming server to the client computer in response to receiving the streaming protocol request. See, for example, the discussion at page 14, lines 1-11 of the specification with respect to returning a streaming protocol reply and sending data packets from the network interface 146 on the delivery server 106 to the network interface 124 on the web client 102 (**arrow 176**).

(vi) Grounds of rejection to be reviewed on appeal

A. Whether claims 1-4, 6-7, 11-14 and 16-18 are unpatentable under 35 U.S.C. §102(e) as being anticipated by Klemets et al. (U.S. Patent Application Publication No. US2003/0236912 A1)?

B. Whether claims 5 and 15 are unpatentable under 35 U.S.C. §103(a) over Klemets et al. (U.S. Patent Application Publication No. US2003/0236912 A1) over “knowledge possessed by a person of ordinary skill in the art”?

(vii) Argument

A. Issue: Whether claims 1-4, 6-7, 11-14 and 16-18 are unpatentable under 35 U.S.C. §102(e) as being anticipated by Klemets et al. (U.S. Patent Application Publication No. US2003/0236912 A1)?

Claims 1-4, 6-7, 11-14 and 16-18 are rejected under 35 U.S.C. §102(e) as being anticipated by Klemets et al. (U.S. Patent Application Publication No. US2003/0236912 A1).

The appellant respectfully submits that the Klemets et al. reference fails to disclose (or even suggest) the invention as recited in claims 1-4, 6-7, 11-14 and 16-18, and requests reversal of the rejection under 35 U.S.C. 102(e).

A proper rejection under 35 U.S.C. §102 requires that the reference disclose each and every element of the invention as claimed. However, as discussed below, the Klemets et al. reference fails to disclose (or even suggest) the claimed invention.

Independent claims 1 and 11 (Independent claim 18 argued separately below)

Independent claims 1 and 11 require that a request for a particular media file is received from a client computer, and a metafile is returned to the client computer. In other words, the client computer requests a particular media file, but receives a metafile associated with the media file instead of receiving the requested media file. See, for example, FIG. 1 of the present application in which this interaction is represented by arrow 152 (HTTP request URL) and arrow 162 (HTTP response that contains streaming metadata) between web client 102 and metadata server 104.

The present invention as defined in independent claims 1 and 11 allows static or active web pages, for example, to reference the media files directly instead of referencing an active page that is parameterised to target the media file. This means the static or active web pages need not indicate whether streaming technology is utilized. This advantageously allows standard web publishing software to support referential integrity between web pages and media files even in the case where streaming technology is utilized. See, for example, the discussion of referential integrity at page 7, lines 1-7 of the specification.

Hence, in the case of each of independent claims 1 and 11, a request for a media file (i.e., the request references the media file directly) is received but instead of returning the content of the resource requested (default HTTP behavior) or executing the resource and forwarding it's reply (Java Servlets, CGI scripts) – a metafile is returned. Nowhere in the Klemets et al. reference is such a substitution disclosed (or even suggested).

In the method for streaming a media file over a distributed information system as recited in independent claim 1, a download request for the actual media file is intercepted and reinterpreted into a request for receiving a corresponding metafile, which is returned to the client computer. The metafile contains information about the identification, location and format of the media file. Independent claim 11 also contains these limitations, but in the context of a computer-readable program stored on a computer-readable medium. The claimed interception/reinterpretation (i.e., a download request for the actual media file is intercepted and reinterpreted into a request for receiving a corresponding metafile) is not disclosed (or even suggested) in the Klemets et al. reference.

Instead, the Klemets et al. reference discloses the client 106 initially sends a real-time streaming protocol (RTSP) DESCRIBE request to the media server 104. Then, the media server 104 responds to the RTSP DESCRIBE request with a session description protocol (SDP) message. The SDP message includes a streaming media format file header and the content description list. See, Klemets et al., page 3, paragraph [0031]. In other words, the client 106 sends a description request (e.g., an RTSP DESCRIBE request) to the server 104 to describe the available content. See, Klemets et al., page 4, paragraph [0041]. The Klemets et al. reference further discloses the client 106 next sends a playback request (e.g., an RTSP SETUP request) for each stream that the client 106 has chosen. The client 106 may also send a RTSP PLAY request for each stream that has been chosen to initiate delivery of the chosen streams. Finally, in response to the playback request, the media server 104 sends the selected streams (e.g., via real-time transport protocol (RTP)) to the client 106. See, Klemets et al., pages 4-5, paragraph [0045].

Contrary to the examiner's assertion in his "Response to Arguments" on pages 7-10 of the final Office action, the first communication session in the Klemets et al. reference (i.e., sending the RTSP DESCRIBE request and returning the SDP message) between the client and the media server does not correspond to the claimed steps of receiving a request for a particular media file from a client computer (which step itself comprises the steps of intercepting a download request for the actual media file, and reinterpreting the download request into a request for receiving a corresponding metafile) and returning a metafile.

The RTSP DESCRIBE request disclosed in the Klemets et al. reference is clearly not a request for a particular media file as required by each of independent claims 1 and

11. The RTSP DESCRIBE request disclosed in the Klemets et al. reference is merely a request from the client to the server to describe the available content. See, Klemets et al., page 2, paragraph [0015] and paragraph [0016]; and page 4, paragraph [0041]. More particularly in this regard, the RTSP DESCRIBE request does not involve the steps of intercepting a download request for the actual media file, and reinterpreting the download request into a request for receiving a corresponding metafile as further required by each of independent claims 1 and 11.

Therefore, the appellant respectfully submits that the Klemets et al. reference fails to disclose (or even suggest) the invention as recited in independent claims 1 and 11 and requests reversal of the rejection thereof under 35 U.S.C. 102(e).

Dependent claims 2-4, 6-7, 12-14 and 16-17

Claims 2-4, 6-7, 12-14, and 16-17 depend, directly or indirectly, from independent claim 1 or 11. The appellant respectfully submits that the Klemets et al. reference cannot render unpatentable these dependent claims for at least the reasons discussed above with respect to independent claims 1 and 11.

Therefore, the appellant respectfully submits that the Klemets et al. reference fails to disclose (or even suggest) the invention as recited in dependent claims 2-4, 6-7, 12-14, and 16-17 and requests reversal of the rejection thereof under 35 U.S.C. 102(e).

Independent claim 18

The appellant initially points out that independent claim 18 contains limitations corresponding to those argued above with respect to independent claims 1 and 11. Therefore, the appellant respectfully submits that the Klemets et al. reference cannot render unpatentable independent claim 18 for at least the reasons discussed above with respect to independent claims 1 and 11.

Moreover, independent claim 18 is directed to a method for streaming a media file over a distributed information system to **a client computer by sequentially interacting with two different servers** -- the first being a **metadata server** and the second being a **streaming server**. See, for example, the discussion of the web client 102, the metadata server 104 and the delivery server 106 at pages 10-14 of the specification, with reference to FIG. 1.

Hence, the method for streaming a media file as recited in independent claim 18 requires the use of two distinct servers, i.e., the metadata server and the streaming server. In fact, independent claim 18 requires that a metafile returned to the client computer from the metadata server includes information identifying the streaming server to contact with a streaming protocol request. The claimed arrangement is entirely different than the interaction disclosed in the Klemets et al. reference, which merely occurs between a client and a media server. Moreover, the claimed arrangement is advantageous in several respects. For example, one metadata server may cooperate with multiple delivery servers in order to perform load balancing. See, for example, the discussion of this advantage at page 11, lines 4-7 of the specification. The Klemets et al. reference fails to disclose (or even suggest) a method for streaming a media file utilizing both a metadata server and a

streaming server as recited in independent claim 18, and the advantages that flow therefrom.

In his “Response to Arguments” of the Advisory Action, the examiner states:

On page 8 of Applicant’s remarks, Applicant argues that “claim 18 is directed to a method for streaming a media file by sequentially interacting with two different servers – the first being a metadata server and the second being a streaming server.” However, it is noted that there is no explicit definition in the instant specification for the term “server.” Therefore, “server” is being given the broadest reasonable interpretation from the perspective of a person of ordinary skill in the art in light of the specification, which is that a server is a hardware device or software that serves content or provides a service to another device. This interpretation is supported, for example, in claim 11, where the functions of the server are being performed by a computer-readable program. Therefore, there is no requirement that the media server and the streaming server be hardware servers, or even separate hardware servers. As a server in the instant claim also includes software, the software code that performs the functions of the metadata server in Klemets constitutes a “metadata server,” and the portion that provides the media file constitutes a streaming server. Further, it is noted that separation of known components is not necessarily patentable distinction (See MPEP 2144.04 V C). (Advisory Action, paragraph bridging pages 2-3.)

Contrary to the examiner’s assertion above, the specification explicitly defines a “server” as a computer that provides some service for other computers connected to it via a network. See, specification, page 2, lines 16-19. The web client 102, the metadata server 104 and the delivery server 106 are disclosed as being mutually connected by a network. See, specification, page 10, lines 5-6. Likewise, the sole illustrated embodiment (FIG. 1) shows the metadata server 104 and the delivery server 106 as being separate computer systems (each computer system having its own network interface). Granted, the metadata server 104 and the delivery server 106 may be implemented in software. Nonetheless,

such software is run on two separate computer systems. See, for example, the discussion of the metadata server 104 at page 10, lines 14-15 of the specification and the discussion of the delivery server 106 at page 11, lines 1-2 of the specification.

Independent claim 18 presents the metadata server and the streaming server as two distinct servers. Because the metadata server and the streaming server are distinct, the metadata server needs to let the client computer know information identifying the streaming server to contact. Hence, as pointed out above, independent claim 18 requires that the metafile returned to the client computer from the metadata server includes information identifying the streaming server to contact with a streaming protocol request. The SDP message disclosed in the Klemets et al. reference does not contain information identifying a streaming server to contact. No such information is needed in arrangement disclosed in the Klemets et al. reference because the interaction therein occurs exclusively between a client and a media server.

Therefore, the appellant respectfully submits that the Klemets et al. reference fails to disclose (or even suggest) the invention as recited in independent claim 18 and requests reversal of the rejection thereof under 35 U.S.C. 102(e).

B. Issue: Whether claims 5 and 15 are unpatentable under 35 U.S.C. §103(a) over Klemets et al. (U.S. Patent Application Publication No. US2003/0236912 A1) over “knowledge possessed by a person of ordinary skill in the art”?

Claims 5 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable over Klemets et al. (U.S. Patent Application Publication No. US 2003/0236912 A1) over “knowledge possessed by a person of ordinary skill in the art”.

Claims 5 and 15 depend, directly, from independent claim 1 and 11, respectively, and set forth all of the limitations therein. Accordingly, for at least the reasons discussed above with respect to independent claims 1 and 11, the appellant respectfully submits that dependent claims 5 and 15 also patentably define over the prior art.

The examiner alleges (without objective evidence of a basis in fact for this allegation) the knowledge possessed by a person of ordinary skill in the art cures the deficiencies of the Klemets et al. reference with respect to the “checking predefined filter criteria determining of whether or not a metafile is to be returned instead of the requested media file” limitation of dependent claims 5 and 15. The appellant does not agree -- the examiner has not shown, for example, that the variation he suggests was within the skill level of a person of ordinary skill in the art, was a predictable variation, or was used to improve similar devices in the same way.

In his “Response to Arguments” on pages 7-10 of the final Office action, the examiner states, “applicant has not provided adequate information or argument so that *on its face* it creates reasonable doubt regarding the assertion of what is known in the art.” Here too, the appellant does not agree. The examiner has shown no objective evidence

that a person skilled in the art would have employed the claimed choice (i.e., whether or not a metafile is to be returned instead of a requested media file) in the first place, and further that such a person would have made this choice by “checking predetermined filter criteria”. The claimed choice is not disclosed in or suggested by the Klemets et al. reference. Nor does the Klemets et al. reference disclose or suggest making this choice on the claimed basis of “checking predetermined filter criteria”. Instead, the examiner asserts that the “knowledge possessed by a person of ordinary skill in the art” cures these deficiencies. However, the examiner has not provided any evidence that it was conventional in the art to 1) provide the claimed choice and 2) to make this choice on the claimed basis of “checking predetermined filter criteria”.

The suggestion for the variation suggested by the examiner can be found only from using the applicants’ invention as a template through a hindsight reconstruction of applicants’ claims. It is improper to use the inventor’s patent application as an instruction book on how to reconstruct the prior art. *Panduit Corp. v. Dennison Mfg. Co.*, 810 F.2d 1561, 1 USPQ2d 1593 (Fed. Cir. 1987).

In his “Response to Arguments” of the Advisory Action, the examiner states:

Therefore, the limitation added by claims 5 and 15 are met if a server is capable of checking incoming requests to determine if the request was a request for download or a request to stream. (Advisory Action, first paragraph on page 5.)

However, the examiner has not shown any objective evidence that such a server was within the skill level of a person of ordinary skill in the art at the time the invention was made. Moreover, even if such a server was within the skill level of a person of ordinary skill in the art (i.e., the server is capable of checking incoming requests to determine if the request was a request for download or a request to stream), it would not have been

obvious to one of ordinary skill in the art to perform such a checking operation in the context of the claimed step of reinterpreting a download request set forth in claims 5 and 15. That is, the examiner has not demonstrated the motivation of one of ordinary skill in the art in reinterpreting an incoming request determined to be a download request (i.e., reinterpreting the download request as a request for receiving a corresponding metafile) when the server has already checked to determine if the incoming request was a request to stream.


The appellant respectfully submits that the Klemets et al. reference and “knowledge possessed by a person of ordinary skill in the art”, alone and in combination, fail to disclose or suggest the invention as recited in claims 5 and 15 and requests reversal of the rejection under 35 U.S.C. 103(a).

D. Conclusion to argument

In view of the above arguments, the appellant respectfully submits that claims 1-7 and 11-18 are patentable over the cited art references, and the rejections thereof under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) should be reversed.

Respectfully submitted,

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(viii) Claims appendix

1 1. A method for streaming a media file over a distributed information system to a client
2 computer running a browser application, the method comprising the steps of:

3 receiving a request for a particular media file from a client computer,
4 providing a metafile, wherein said metafile contains information about the
5 identification, location and format of the media file,

6 returning said metafile back to said client computer,
7 characterized in that

8 the step of receiving a request for a particular media file from a client computer
9 comprises the steps of :

10 intercepting a download request for the actual media file and
11 reinterpreting said download request into a request for receiving a corresponding
12 metafile.

1 2. The method according to claim 1, wherein the step of reinterpreting said download
2 request includes the step of deriving information about said corresponding metafile from
3 a portion of the URL.

1 3. The method according to claim 2, wherein said portion of the URL is the file
2 extension of the requested media file.

1 4. The method according to claim 1, wherein the step of providing a metafile comprises
2 one of the steps of:
3 dynamically generating a metafile, and
4 statically querying a metafile from a data store.

1 5. The method according to claim 1, wherein the step of reinterpreting said download
2 request includes the step of:
3 checking predefined filter criteria determining of whether or not a metafile is to be
4 returned instead of the requested media file.

1 6. The method according to claim 1, wherein the step of providing a metafile further
2 includes the step of retrieving information about the configuration of at least one item
3 chosen from the group comprising: version of the streaming product, type of the
4 streaming product, location of the media file, load of the servers, load of the network,
5 location of the client, quality of service.

1 7. The method according to claim 1, wherein the step of providing a metafile further
2 includes the step of reading information about the client's preferred streaming format and
3 forming a metafile in accordance with the client's preference.

1 11. A computer-readable program stored on a computer-readable medium, said computer
2 readable program being configured to perform the steps of:

3 receiving a request for a particular media file from a client computer,
4 providing a metafile, wherein said metafile contains information about the
5 identification, location and format of the media file,

6 returning said metafile back to said client computer,
7 characterized in that

8 the step of receiving a request for a particular media file from a client computer
9 comprises the steps of :

10 intercepting a download request for the actual media file and
11 reinterpreting said download request into a request for receiving a corresponding
12 metafile.

1 12. The computer-readable program of claim 11, wherein the step of reinterpreting said
2 download request includes the step of deriving information about said corresponding
3 metafile from any portion of the URL.

1 13. The computer-readable program of claim 12, wherein said portion of the URL is the
2 file extension of the requested media file.

1 14. The computer-readable program of claim 11, wherein the step of providing a metafile
2 comprises one of the steps of:

3 dynamically generating a metafile, and
4 statically querying a metafile from a data store.

1 15. The computer-readable program of claim 11, wherein the step of reinterpreting said
2 download request includes the step of:

3 checking predefined filter criteria determining of whether or not a metafile is to be
4 returned instead of the requested media file.

1 16. The computer readable program of claim 11, wherein the step of providing a metafile
2 further includes the step of retrieving information about the configuration of at least one
3 item chosen from the group comprising: version of the streaming product, type of the
4 streaming product, location of the media file, load of the servers, load of the network,
5 location of the client, quality of service.

1 17. The computer readable program of claim 11, wherein the step of providing a metafile
2 further includes the step of reading information about the client's preferred streaming
3 format and forming a metafile in accordance with the client's preference.

1 18. A method for streaming a media file over a distributed information system to a client
2 computer running a browser application, the method comprising the steps of:

3 receiving, at a metadata server, a request for a particular media file from a client
4 computer,

5 providing, at said metadata server, a metafile and a MIME-type, wherein said
6 metafile contains information about the identification, location and format of the media
7 file,

8 returning said metafile and said MIME-type back from said metadata server to
9 said client computer,

10 starting a media player on said client computer based on said MIME-type, wherein
11 said media player is started by a browser application running on said client computer,

12 forwarding said metafile from said browser application to said media player,

13 extracting information from said metafile, wherein the extracted information is
14 extracted from said metafile by said media player and includes information identifying a
15 streaming server to contact and a streaming protocol to use,

16 composing a streaming protocol request based on said extracted information,

17 forwarding said streaming protocol request from said client computer to said
18 streaming server identified in said extracted information,
19 sending a streaming protocol reply and data packets from said streaming server to
20 said client computer in response to receiving said streaming protocol request,
21 characterized in that
22 the step of receiving a request for a particular media file from a client computer
23 comprises the steps of :
24 intercepting a download request for the actual media file and
25 reinterpreting said download request as a request for receiving a
26 corresponding metafile.

(ix) Evidence appendix

NONE.

PATENT
APPEAL BRIEF

(x) Related proceedings appendix

NONE.